

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE BAYOU HEDGE FUNDS INVESTMENT LITIGATION	: :	X No. 06 MDL 1755 (CM)
--	--------	---------------------------

THIS DOCUMENT RELATES TO:

-----	X	
BROAD-BUSSEL FAMILY LIMITED	:	No. 06 Civ. 3026 (CM)
PARTNERSHIP, ET AL., Individually	:	
and on Behalf of All Other Persons and Entities	:	
Similarly Situated,	:	
Plaintiffs,	:	

- against -

BAYOU GROUP LLC, ET AL.,  
Defendants.

-----	X	
BROAD-BUSSEL FAMILY LIMITED	:	No. 07 Civ. 2026 (CM)
PARTNERSHIP, ET AL., Individually	:	
and on Behalf of All Other Persons and Entities	:	
Similarly Situated,	:	
Plaintiffs,	:	

- against -

HENNESSEE GROUP LLC, ET AL.,  
Defendants.

**ORAL ARGUMENT REQUESTED**

ELECTRONICALLY FILED

**NOTICE OF MOTION AND MOTION  
OF BROAD-BUSSEL PLAINTIFFS  
FOR CLASS CERTIFICATION**

**BERGER & MONTAGUE, P.C.**  
Merrill G. Davidoff, Esq.  
Lawrence J. Lederer, Esq.  
Lane L. Vines, Esq.  
1622 Locust Street  
Philadelphia, PA 19103-6305  
Telephone: (215) 875-3000  
Fax: (215) 875-4604

KOSKOFF, KOSKOFF & BIEDER, P.C.  
William M. Bloss, Esq.  
Neal A. DeYoung, Esq.  
350 Fairfield Avenue  
Bridgeport, CT 06604  
Telephone: (203) 336-4421  
Fax: (203) 368-3244

*Attorneys for Broad-Bussel Plaintiffs*

PLEASE TAKE NOTICE that plaintiffs Broad-Bussel Family Limited Partnership (“Broad-Bussel Family”), Caroline B. Glass (“Glass”), Marie-Louise Michelsohn, Michelle Michelsohn and Herbert Blaine Lawson, Jr. (collectively, the “Plaintiffs” or the “Broad-Bussel Plaintiffs”), individually and on behalf of all other persons and entities similarly situated, hereby move for an Order pursuant to Fed. R. Civ. P. 23:

(1) certifying under Fed. R. Civ. P. 23(a), (b)(3) and (g) these consolidated actions as a class action on behalf of all similarly situated investors who purchased or maintained investment interests in one or more of the Bayou family of hedge funds (the “Bayou Hedge Funds”) during the period between December 31, 1996 and August 25, 2005 (the “Class Period”), and were damaged thereby (the “Class”); the Bayou Hedge Funds include the Bayou Super Fund, LLC, Bayou No Leverage Fund, LLC, Bayou Affiliates Fund, LLC, Bayou Accredited Fund, LLC, Bayou Offshore Fund, LLC, and Bayou Fund, LLC;<sup>1</sup>

(2) as to the Bayou Defendants only,<sup>2</sup> certifying under Fed. R. Civ. P. 23(a), (b)(1)(A) and (B) and (g) these consolidated actions as a class action on behalf of all similarly situated investors who purchased or maintained investment interests in one or more of the Bayou Hedge Funds during Class Period, and were damaged thereby;

---

<sup>1</sup> By Order filed on May 15, 2007, the Court consolidated the above captioned actions Broad-Bussel Family Limited Partnership, et al. v. Bayou Group LLC, et al., 06 CV 3026 (CM) (S.D.N.Y.) and Broad-Bussel Family Limited Partnership, et al. v. Hennessee Group LLC, et al., 07 CV 2026 (CM) (S.D.N.Y.), pursuant to Fed. R. Civ. P. 42(a) and Southern District of New York Local Rule 15(a).

<sup>2</sup> The Bayou Defendants include defendants Samuel Israel, III, Daniel Marino, Bayou Group LLC, Bayou Management LLC, Bayou Securities LLC, Bayou Securities, LTD, Bayou Partners LLC, Bayou Affiliates, LLC, Bayou Equities, LLC, IM Partners and IMG, LLC, and the defendant Bayou Hedge Funds.

(3) certifying under Fed. R. Civ. P. 23(a), (b)(3) and (g) a subclass on behalf of all members of the Class who, during the Class Period, were advised to invest, or were placed, in the Bayou Hedge Funds pursuant to an investment advisory relationship with the Hennessee Group LLC, and suffered damages thereby (the “Hennessee Subclass”);

(4) appointing Plaintiffs as the representatives of the Class;

(5) appointing plaintiffs Broad-Bussel Family and Glass as the representatives of the Hennessee Subclass; and

(6) appointing under Fed. R. Civ. P. 23(g) Plaintiffs’ counsel, Berger & Montague, P.C. and Koskoff, Koskoff & Bieder, P.C., as Class counsel in this litigation.

In further support of their Motion for Class Certification, Plaintiffs are submitting contemporaneously herewith a Memorandum of Law, a Compendium of Documents, and the Declarations of Dr. Robert R. Trout, Ph.D., CFA and Lane L. Vines. In addition, Plaintiffs are submitting two proposed forms of Order to certify the Class and the Hennessee Subclass, in accordance with the above.

Dated: July 16, 2007  
New York, NY

Respectfully Submitted,

BERGER & MONTAGUE, P.C.

/s/ Merrill G. Davidoff

Merrill G. Davidoff, Esq.

Lawrence J. Lederer, Esq.

Lane L. Vines, Esq.

1622 Locust Street

Philadelphia, PA 19103

Telephone: (215) 875-3000

Fax: (215) 875-4604

KOSKOFF, KOSKOFF & BIEDER, P.C.

William M. Bloss, Esq.

Neal A. DeYoung, Esq.

350 Fairfield Avenue

Bridgeport, CT 06604

Telephone: (203) 336-4421

Fax: (203) 368-3244

*Attorneys for Plaintiffs Broad-Bussel Family  
Limited Partnership, Caroline B. Glass, Marie-  
Louise Michelsohn, Michelle Michelsohn and  
Herbert Blaine Lawson, Jr., the Class and the  
Hennessee Subclass*

417043\_04.wpd

**CERTIFICATE OF SERVICE**

I, Lane L. Vines, hereby certify that I caused today the following to be electronically filed with the Clerk of Court by using the ECF System: Notice of Motion and Motion of Broad-Bussel Plaintiffs for Class Certification, the accompanying Memorandum of Law, the Compendium of Documents in support thereof, and the Declarations of Dr. Robert R. Trout, Ph.D., CFA and Lane L. Vines. The foregoing filing will be served on counsel electronically through the Court's ECF System, and by U.S. First Class mail on any counsel that has not signed up for electronic service. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

Dated: July 16, 2007

/s/ Lane L. Vines

Lane L. Vines